

Appl. No. 09/786,929
Amendment dated November 15, 2004
Reply to Office Action of July 15, 2004

H-969

REMARKS/ARGUMENTS

Claims 1-2, 5-8 and 10-14 remain pending in this application. Claims 1-2 and 5-8 have been amended. Claims 3-4 and 9 have been canceled without prejudice or disclaimer.

Priority

Applicants request the Examiner's acknowledgment of the claim for priority. The priority document was filed at the International Phase and acknowledged in the Official Filing Receipt mailed December 10, 2001.

35 U.S.C. §112

The rejection of claims 1, 2, 5 and 6 under 35 U.S.C. §112 has been rendered moot by the amendment of these claims.

35 U.S.C. §§102 and 103

Claims 1, 2 and 5-7 stand rejected under 35 U.S.C. §102(e) as being anticipated by Sitaraman et al (U.S. Patent No. 6,427,170). The rejection under this section has been rendered moot by the amendment of the claims.

Claims 3, 4 and 8-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sitaraman et al in view of

Applicants Admitted Prior Art (AAPA). These rejections are traversed as follows.

The rejection under this section is based upon an improper assertion of Applicants' Admitted Prior Art (AAPA). The Examiner relies on page 12, lines 7-14, for such teaching. However, this portion of the specification corresponds to Applicants' disclosure of the invention and is not directed to prior art. The Examiner's attention is directed to page 7 where the heading "DISCLOSURE OF THE INVENTION" is provided.

In addition, the present claims are directed to a packet communication control apparatus and method in which the destination side packet communication control apparatus sends both an IP address of the destination communication apparatus and an identifier of a corresponding gateway apparatus to a server to hold information regarding the correspondence between the IP address allocated to each communication apparatus and the names of the communication apparatuses. The source side communication control apparatus gets the IP address of the destination side communication apparatus and the identifier of the corresponding gateway apparatus and then sends the packet from a source side communication apparatus to the gateway. As such, it is possible to provide a terminating

service to each terminal that uses a dynamic IP address (see Specification, p. 42, lines 23-24).

On the other hand, Sitaraman et al discloses a method and apparatus for managing dynamic IP address allocation in a data communication network having a point of presence. Sitaraman et al does not disclose anything about a DNS server having a correspondence between an IP address of a destination communication apparatus and the identifier of the corresponding gateway apparatus. Sitaraman et al also does not disclose data communication using data in the DNS server nor a source side communication control apparatus that communicates with the data in the DNS server as in the present invention.

The Examiner acknowledges that Sitaraman et al does not disclose sending packets to the home gateway of a mobile terminal after the home gateway identifier is added thereto. The Examiner then relies upon the alleged AAPA. As mentioned before, the Examiner's identification of AAPA is incorrect. As such, it is submitted that Applicants' specification cannot be combined with Sitaraman et al to render the claimed invention obvious and unpatentable.

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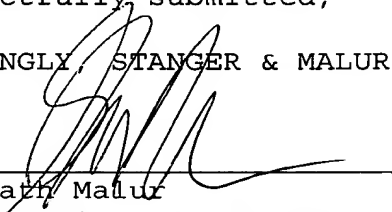
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Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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